

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

July 3, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
July 2, 2012
9:00 a.m.

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION by CIMA Chaplain Carlos Clugy-Soto

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. NATIONAL PARKS AND RECREATION MONTH
2. TEAM ALCHEMY KARATE ACADEMY MONTH

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

NOTICE

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of June 26, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representative Cortney Carlisle Niland

3. SPECIAL APPOINTMENT:

Lauren Ferris as an Assistant City Attorney effective July 16, 2012. **(All Districts)**
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

4. BOARD APPOINTMENTS:

4A. Michael Bray to the Building and Standards Commission, as an alternate member, by Representative Susie Byrd, District 2.
[Representative Susie Byrd, (915) 541-4416]

4B. Carol W. Molloy to the Community Development Steering Committee by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

REGULAR AGENDA - INTRODUCTION

5. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

An Ordinance repealing Ordinance No. 016911 dated June 10, 2008 adopting sustainable development design standards for City buildings, so that new standards may be adopted by resolution. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

PUBLIC HEARING WILL BE HELD ON JULY 17, 2012, FOR THE ITEM

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso

City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

6. CITY DEVELOPMENT:

- 6A.** An Ordinance changing the zoning of Tracts 9A1, 9A1A and 9A2, Block 79, Section 32, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Montana Avenue and west of Dominican Street. Property Owner: Acala Investments, LLC. PZRZ12-00001. **THIS IS AN APPEAL CASE. (District 5)** [City Development, Michael McElroy, (915) 541-4238]
POSTPONED FROM 05-29-12 and 06-19-12
- 6B.** An Ordinance repealing Ordinance No. 017708 dated January 17, 2012 which granted a special privilege license to Mary Stillinger and Enriqueta Godinez, permitting the maintenance and repair of a 2,199 square foot portion of an existing masonry wall with wrought iron fencing within portions of City right-of-way on Farrell Drive between Cindy Drive and Kathy Drive and Kathy Drive between Stevens Road and Farrell Drive adjacent to the property legally described as Lots 15 and 16, Richard Lee Subdivision, City of El Paso, El Paso County, Texas, thereby terminating the special privilege license (SPL11-00040). **(District 6)** [City Development, Mirian Spencer, (915) 541-4056]
- 6C.** An Ordinance vacating a portion of an 18' alley out of Block 47, Bassett Addition, City of El Paso, El Paso County, Texas. Applicant: El Paso Water Utilities. SUB10-00307 **(District 8)** [City Development, Justin Bass, (915) 541-4930]

REGULAR AGENDA – OTHER BUSINESS

7. MAYOR AND COUNCIL:

Discussion and action to rescind travel ban to Arizona given subsequent similar immigration restrictive actions by other states and recent Supreme Court ruling limiting state authority on matters of immigration. [Mayor John F. Cook, (915) 541-4145]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS

Section 551.076
Section 551.087

DELIBERATION REGARDING SECURITY DEVICES
DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>